

REMARKS

The Office Action mailed March 9, 2004, has been received and the Examiner's comments carefully reviewed. Claim 1 has been amended for clarification purposes. Claim 7 has been amended to correct a minor typographical error. Favorable reconsideration of this application is requested in view of the following remarks.

Drawings

In the Office Action, the Examiner has objected to the drawings, stating that Figures 13A-13C should be designated by a legend such as --Prior Art--. Figures 13A-13C have been corrected accordingly.

Claim Rejections - 35 USC § 102

In the Office Action, claims 1-3 have been rejected under 35 U.S.C. 102(b) as being anticipated by Ito et al. U.S. Patent No. 5,581,531. Applicants respectfully traverse this rejection.

Claim 1 recites, among other things, a spot size adjustor that reduces a size of a light spot formed on the information carrier in a recording operation, relative to a size of a light spot in a reproducing operation.

Unlike the invention of claim 1, Ito et al. does not disclose or suggest switching the spot size between an operation of recording data on an information recording medium and an operation of reproducing data from the information recording medium. The Ito disclosure relates to a technique for controlling a spot of light projected to a photoresist layer on a surface of a master disk during manufacturing of the master disk, in forming guide grooves and pre-pits on the master disk. Thus, the subject matter of the Ito disclosure has no relevance to an apparatus that can control a light spot in data recording and reproducing operations. Therefore, Ito fails to teach or suggest all of the elements set forth in claim 1 and for at least this reason, claim 1 is believed to be patentable over Ito et al.

Claims 2 and 3 are believed to be patentable over Ito et al. for at least the same reason claim 1 is. Thus, the Examiner is respectfully requested to withdraw the rejection.

Claim Rejections - 35 USC § 103

In the Office Action, claims 4-6, 10 and 11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. U.S. Patent No. 5,581,531 in view of Sumi et al. U.S. Patent No. 5,796,683. Applicants respectfully traverse this rejection.

Claims 4-6, 10 and 11 depend from claim 1. Sumi et al. does not remedy the deficiencies of Ito noted above. Applicants are not conceding the correctness of the rejection for the features of claims 4-6, 10 and 11.

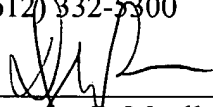
Favorable reconsideration of claims 1-12 in the form of a Notice of Allowance is requested. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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Jun 8, 2004



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PATENT TRADEMARK OFFICE



FIG. 13A
(PRIOR ART)

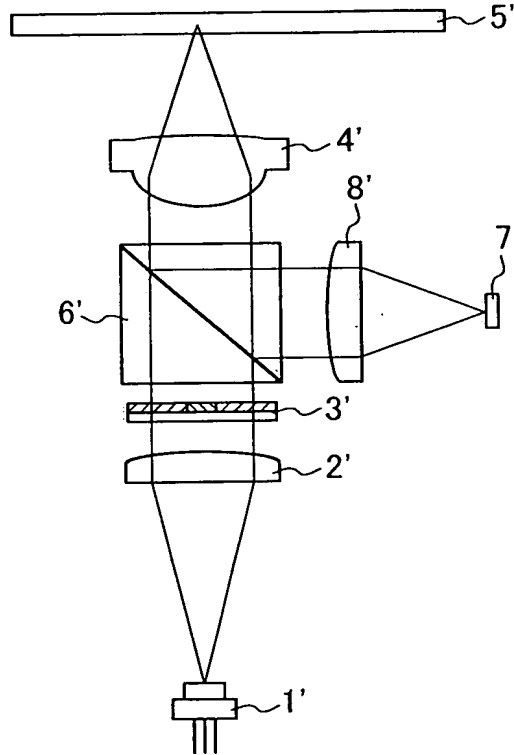


FIG. 13B
(PRIOR ART)

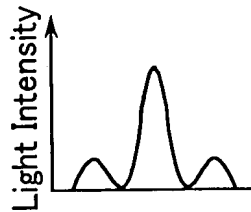


FIG. 13C
(PRIOR ART)

